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1 UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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VISIBLE SYSTEMS C.A. No. 04-CV-11610-RGS  
3 CORPORATION

4 vs

5 UNISYS CORPORATION  
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6 ---

7 Friday, September 8, 2006

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9 C O N F I D E N T I A L

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12 Oral Deposition of DAVID A. WRIGHT,  
13 was taken pursuant to Notice at the law offices  
14 of COZEN O'CONNOR, 200 Four Falls Corporate  
15 Center, Suite 400, P.O. Box 800, West  
16 Conshohocken, PA 19428-0800 on the above date  
17 before DEBRA G. JOHNSON-SPALLONE, CSR, RPR,  
18 Notary Public, and a Federally Approved  
19 Reporter of the United States District Court  
20 commencing at or about 1:30 p.m.

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1 APPEARANCES:

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3 GALEBACH LAW FIRM

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Representing the Plaintiff

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13 ALSO PRESENT:

14 UNISYS CORPORATATION

BY: STEPHANIE E. THIER, ESQUIRE

15 Senior Trademark Counsel

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Blue Bell, PA 19424

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1 A. Industrial designer from

2 University of Cincinnati.

3 Q. What role did you play in the

4 -- the selection of the mark 3D Visible

5 Enterprise?

6 A. I didn't play any role in the

7 selection.

8 Q. Do you know who selected it?

9 A. The name was eventually selected

10 or approved by Larry Weinbach. He was the

11 final decision maker.

12 Q. Were there any other key decision

13 makers involved with him?

14 A. Probably Joe McGrath and Fred

15 Dillman were the key two.

16 Q. Who came up with the idea for the

17 name?

18 A. Grey Advertising.

19 Q. No one at Unisys suggested the

20 name 3D Visible Enterprise to Grey Advertising?

21 A. Correct.

22 Q. Did anyone at Unisys suggest the

23 name Visible to Grey Advertising?

24 A. No.

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1 Q. Did anyone at Unisys suggest the  
2 name 3D to Grey?

3 A. No.

4 Q. Did anyone suggest the name  
5 Enterprise to Grey from Unisys?

6 A. Not that I am aware of.

7 Q. When did you first hear the name  
8 3D Visible Enterprise?

9 A. I believe it was at the initial  
10 presentation that Grey made to the management  
11 committee in November of 2003.

12 Q. Who was there?

13 A. That is quite a room full.

14 Dick Badler. Joe McGrath. Fred  
15 Dillman. Leigh Alexander. Cary Baker, and  
16 then there was a team from Grey.

17 Q. Do you remember names from Grey?

18 A. It was Carl Argila, who was the  
19 account representative.

20 Dave Tutin, Jack Aaker, and Steve  
21 Centrillo.

22 There may have been one or two  
23 others, but that is all I recall.

24 Q. Aaker is A-K-E-R?

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1 A. Two As. A-A-K-E-R, I believe.

2 Q. How do you spell Tutin's last  
3 name?

4 A. T-U-T-I-N.

5 Q. What was the role at that time of  
6 Leigh Alexander?

7 A. She was Chief Marketing Officer.

8 Q. And of Cary Baker?

9 A. He was Director of Advertising.

10 Q. You were present at the meeting?

11 A. Yes.

12 Q. What was the main thrust of the  
13 discussion at the meeting?

14 A. Developing a new name for an  
15 approach we call Business Blueprinting.

16 Q. What was the reason for  
17 developing a new name for something that had  
18 just been launched several months before?

19 A. They -- the assignment that was  
20 given to Grey was to develop a -- to come up  
21 with some way we can have a bigger idea of what  
22 this set of solutions offerings were.

23 Business Blueprinting, which was  
24 the former name of a piece of it, was very much

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1 a very technical type of discussion people had  
2 mostly about modeling tools, tools for modeling  
3 business.

4 So, the idea was to come up with  
5 another term, was to make it a bigger idea  
6 about enabling an enterprise to see all of its  
7 inner workings.

8 Q. Were there any other names  
9 considered at the meeting in late 2003?

10 A. No other names were presented or  
11 considered.

12 Q. Were there any negatives spoken  
13 at that meeting about the name 3D Visible  
14 Enterprise?

15 A. The only thing I recall about  
16 negatives were what the role of 3D really was.  
17 That was discussed a bit. It was to give the  
18 idea of -- it gives a holistic view from top  
19 to bottom of an enterprise.

20 After a brief discussion, it was  
21 agreed.

22 Q. Was the decision made then and  
23 there at that meeting to adopt the name?

24 A. No, it was not.

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1 Q. Who left the meeting with the  
2 action to get a corporate decision?

3 A. Dick Badler.

4 Q. What was your involvement in  
5 the aftermath of the meeting with the name 3D  
6 Visible Enterprise?

7 A. We joined the -- well, during the  
8 time between the final decision being made and  
9 -- and that -- that initial meeting, there were  
10 some clearance searches done by Grey's counsel.  
11 They were sent to me, and I forwarded them to  
12 our trademark counsel.

13 Q. So, you received the three or  
14 four-page letter from Grey's counsel?

15 A. Yes.

16 Q. Did you receive the  
17 over-hundred-page trademark search?

18 A. No.

19 Q. You did not receive the trademark  
20 search for Thompson and Thompson?

21 A. Correct.

22 Q. Did you do any Google searching  
23 to see what other companies were using the name  
24 Visible and Visible Enterprise?